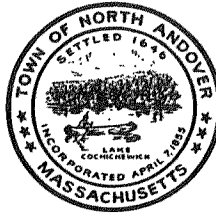


Town of North Andover
ZONING BOARD OF APPEALS

Approved
Dec 10, 13

Albert P. Manzi III, Esq. Chairman
Ellen P. McIntyre, Vice-Chairman
Richard J. Byers, Esq. Clerk
D. Paul Koch Jr. Esq.
Allan Cuscia



Associate Member
Michael P. Liporto
Deney Morganthal
Doug Ludgin
Zoning Enforcement Officer
Gerald A. Brown

DRAFT MINUTES
Tuesday, November 12th, 2013 at 7:00 PM
Town Hall 120 Main Street, North Andover, Massachusetts

Members present: Albert Manzi III Esq., Ellen McIntyre, Richard Byers, D. Paul Koch Jr and Allan Cuscia

Associate Member: Michael Liporto, Doug Ludgin and Deney Morganthal

Manzi called the meeting to order at 7:07

Pledge of Allegiance

Acceptance of Minutes for October 8, 2013

McIntyre made the motion to approve the Minutes

Cuscia second the motion.

Those voting in favor to approve the minutes were McIntyre, Cuscia, Liporto and Ludgin.

4-0

Byers, Manzi, Koch and Morganthal did not attend the October 8th meeting and recused themselves on voting on the approval of the minutes.

Committee Reports

Merrimack Valley Planning Commission and Committee Housing Partnership

McIntyre and Byers had nothing to report regarding these committees.

Continued Public Hearing

Variance R-3 Petitioner Merrimack College Volpe Athletic Center (Map 25, Parcel 21).

Koch and Manzi read the minutes and signed a form that they have read the minutes or watched the video for that meeting on October 8th 2013, and now will be able to rehabilitate themselves and vote, if their vote is needed on the continued hearing for Merrimack College Volpe Athletic Center.

Manzi stated that Merrimack College sent us a memorandum requesting to withdraw their Variance without Prejudice and referenced in the memorandum The Dover Amendment. Stating that in this amendment they are exempted from following the Town's Zoning Bylaws regarding internally, illuminated lighting. Along with the memorandum came a letter to support this from their lawyers.

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Manzi stated that he wanted to recommend to the Board that we continue this hearing until December 10th, in order for the Board to have a clearer meaning and evaluate the information that is in front of us and to also seek a better understanding on this matter. Manzi also wanted to get input from our Town Counsel, Tom Urbelis on this matter.

McIntyre voted to continue this hearing for Merrimack College Volpe Athletic Center until December 10th in order for the Board to get direction from Town Counsel and also to authorize Manzi to talk to and receive input from Town Counsel on this matter.

Cuscia second the motion.

All in favor to continue this hearing for December 10th 2013, Manzi, McIntyre, Cuscia, Koch and Ludgin
5-0

Rick Byers recused himself from the vote.

Manzi wanted to take a moment to acknowledge a thank you note that came to us from the Scalise Family to the Zoning Board, for flowers sent. Manzi went on to say that Attorney Dom Scalise's presence at the Zoning Board Meetings has been missed.

Manzi recused himself from the new public hearing on 100 Colgate Drive, since his in-laws live across the street from the applicant.

McIntyre stated that she needed to step away from the meeting and will turn the gavel over to Rick Byers.

New Public Hearing

Special Permit R-4 100 Colgate Drive (Map 74, Parcel 21), North Andover, MA. 01845

Koch read the Legal Notice.

Jeff Wilson is representing the applicant and also is the son of the applicant, Priscilla Wilson. Jeff Wilson walked up the podium and stated that he is asking for a Special Permit and is requesting a Family Suite/In Law apartment for his Mother, at 100 Colgate Drive. Wilson spoke of the information in the packets that he submitted to the Board.

Wilson spoke of how his dad had passed away and his mother, Priscilla Wilson was forced to live alone; she also did not want to leave a home that she enjoyed and had lived in for many years.

Jeff Wilson stated they had a family meeting, and in the end decided that he and his fiancé would live in the house and allow for an area for the mom to live in.

Wilson stated that there is plenty of room on the property and they are proposing to build the addition of the family suite, behind the garage.

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Byers asked if they need any relief (Variance). Wilson responded no that they have plenty of room on the property.

Ludgin asked of the existing porch. Wilson stated that the porch will be removed.

Byers went onto explain to the applicant the rules of a Family Suite and that is only for family members. Byers then spoke of how Family Suites work and that if the house ever gets sold the Special Permit granted for the Family Suite goes away. This Special Permit stays only with the applicant.

Byers asked if anyone had any questions or if anyone was here for or against the applicant.

Cuscia made a motion to grant the Special Permit at 100 Colgate Drive (Map 74 Parcel 21) from 4.122.22 of the Zoning Bylaws to Build a Family Suite in the R-4 Zoning District. Cuscia referenced all the drawings, plans, pages and maps that were in front of him along with associated dates.

Koch second the motion

All in favor to grant the Special Permit were Byers, Koch, Cuscia, Liporto and Ludgin
5-0

Byers requested a short recess 7:26

The meeting was reopened 7:32

Adjournment: 7:33

Koch made a motion to adjourn the meeting

Cuscia second the motion

All were in favor to adjourn the meeting.